

2005 DRAFTING REQUEST

Bill

Received: **10/05/2004**

Received By: **btradewe**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget 6-7973**

By/Representing: **Walker**

This file may be shown to any legislator: **NO**

Drafter: **btradewe**

May Contact:

Addl. Drafters:

Subject: **Environment - water quality**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Walker, BB0163 -

Topic:

Wastewater plans and specifications review

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	btradewe 10/06/2004	kfollett 11/02/2004	rschluet 11/02/2004	_____	lnorthro 11/02/2004		

FE Sent For:

<END>

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FE Sent For:

<END>

2003-05 Budget Bill Statutory Language Drafting Request

- Topic: Wastewater plans and specifications review
- Tracking Code: BB0143
- SBO team: Environmental and Commercial Resources
- SBO analyst: William D. Walker *sw 10/4/04*
 - Phone: 266-7973
 - Email: william.walker@doa.state.wi.us
- Agency acronym: DNR
- Agency number: 370

Eliminate the requirement in s. 281.58 that the department approve construction plans and specifications for clean water fund projects.

(See agency request, attached.)

Medium priority

DNR-14
3144

2005-07 Statutory Language Proposals

DIVISION:	CAES
BUREAU:	Community Financial Assistance
ISSUE/TOPIC:	Plans and specifications review
PROPOSED CHANGE:	<p>281.58(2m)(e) Inspect periodically clean water fund project construction to determine project compliance with construction plans and specifications approved by the department and the requirements of this section and <u>s. 281.59</u> and, if applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations promulgated thereunder.</p> <p>281.58(9)(a) After the department approves a municipality's facility plan submitted under <u>sub. (8s)</u>, the municipality shall submit an application for participation to the department. The application shall be in such form and include such information as the department and the department of administration prescribe and shall include design plans and specifications that are approvable by the department under this chapter. The department shall review applications for participation in the clean water fund program. The department shall determine which applications meet the eligibility requirements and criteria under <u>subs. (6), (7), (8), (8m) and (13)</u>.</p> <p>281.58(9)(ae) A municipality that submits an application under <u>par. (a)</u> without design plans and specifications may obtain an initial determination of financial eligibility from the department of administration. The department of natural resources may not approve a municipality's application until the municipality submits approvable design plans and specifications.</p> <p>281.58(15)(a)2. The department approves plans and specifications under s. 281.41.</p>
EXPLANATORY NOTE:	<p>The Bureau of Watershed Management proposes to stop reviewing construction plans and specifications for certain wastewater treatment facilities as a streamlining measure. Statutes for the Clean Water Fund Program imply that construction plan and specification approval is a prerequisite for funding under the program. This proposal would clarify that construction plan and specification approval is not required for Clean Water Fund Program funding and would enable Watershed Management to implement its streamlining proposal. The Department would continue to review and approve facility plans.</p>
DESIRED EFFECTIVE DATE:	Upon passage of the budget
CONTACT PERSON:	Joy Stewart, 266-2159



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0460/1

RCT. *[Signature]*

DOA:.....Walker, BB0163 - Wastewater plans and specifications review

FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

Note

Do Not Gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

ENVIRONMENT

WATER QUALITY

fix 2 Under the Clean Water Fund Program, this state provides financial assistance for projects
3 for controlling water pollution, including sewage treatment plants. This bill eliminates
4 the requirement that DNR approve construction plans and specifications for projects
5 under the Clean Water Fund Program.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

6 **SECTION 1.** 281.58 (2m) (e) of the statutes is amended to read:

7 281.58 (2m) (e) Inspect periodically clean water fund project construction to
8 determine project compliance with construction plans and specifications approved
9 by the department and the requirements of this section and s. 281.59 and, if

1 applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations
2 promulgated thereunder.

History: 1987 a. 399; 1989 a. 31, 336, 366; 1991 a. 32, 39, 189; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 425; Stats. 1995 s. 281.58; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 104.

3 **SECTION 2.** 281.58 (9) (ae) of the statutes is amended to read:

4 281.58 (9) (ae) A municipality that submits an application under par. (a)
5 without design plans and specifications may obtain an initial determination of
6 financial eligibility from the department of administration. The department of
7 natural resources may not approve a municipality's application until the
8 municipality submits ~~approvable~~ design plans and specifications.

History: 1987 a. 399; 1989 a. 31, 336, 366; 1991 a. 32, 39, 189; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 425; Stats. 1995 s. 281.58; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 104.

9 **SECTION 3.** 281.58 (15) (a) (intro.) and 1. of the statutes are consolidated,

10 renumbered 281.58 (15) (a) and amended to read:

11 281.58 (15) (a) The department and the department of administration may, at
12 the request of a municipality, issue a notice of financial assistance commitment to the
13 municipality after ~~all of the following occur:~~ 1. ~~The~~ the department approves the
14 municipality's application under sub. (9m) (a) and the department of administration
15 has allocated subsidy for the municipality's project.

History: 1987 a. 399; 1989 a. 31, 336, 366; 1991 a. 32, 39, 189; 1993 a. 16; 1995 a. 27; 1995 a. 227 s. 425; Stats. 1995 s. 281.58; 1997 a. 27, 237; 1999 a. 9; 1999 a. 150 s. 672; 2001 a. 16, 104.


16 (END)

Section #. RP; 281.58 (15) (a) ^a 2.

DWote

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0460/1dn

RCT: 

Date

Bill Walker:

The instructions for this draft indicate that the Bureau of Watershed Management proposes to stop reviewing construction plans and specifications for certain wastewater treatment facilities. I assume they realize that there will have to be a rule to exempt the facilities from review under s. 281.41.

Rebecca C. Tradewell
Managing Attorney
Phone: (608) 266-7290
E-mail: becky.tradewell@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0460/1dn
RCT:kjf:rs

November 2, 2004

Bill Walker:

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State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0460/1

RCT:kjf:rs

DOA:.....Walker, BB0163 - Wastewater plans and specifications review
FOR 2005-07 BUDGET -- NOT READY FOR INTRODUCTION

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5 by the department and the requirements of this section and s. 281.59 and, if
6 applicable, of 33 USC 1251 to 1376 and 33 USC 1381 to 1387 and the regulations
7 promulgated thereunder.

SECTION 2. 281.58 (9) (ae) of the statutes is amended to read:

281.58 **(9)** (ae) A municipality that submits an application under par. (a) without design plans and specifications may obtain an initial determination of financial eligibility from the department of administration. The department of natural resources may not approve a municipality's application until the municipality submits ~~approvable~~ design plans and specifications.

SECTION 3. 281.58 (15) (a) (intro.) and 1. of the statutes are consolidated, renumbered 281.58 (15) (a) and amended to read:

281.58 (15) (a) The department and the department of administration may, at the request of a municipality, issue a notice of financial assistance commitment to the municipality after all of the following occur: 1. ~~The~~ the department approves the municipality's application under sub. (9m) (a) and the department of administration has allocated subsidy for the municipality's project.

SECTION 4. 281.58 (15) (a) 2. of the statutes is repealed.

(END)